

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

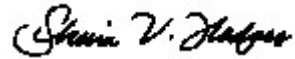
Curtis Q. Owens,)	C/A No.: 1:08-2380-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Charleston City Police Dept., City of)	
Charleston, Pvt. NFN Inabinett #1412,)	
Cpl. NFN Emanuel #1036, Pvt. Shealy)	
NFN,)	
)	
Defendants.)	

Plaintiff filed this action, which is construed as alleging violations of 42 U.S.C. § 1983. Defendants filed a motion for summary judgment on June 17, 2011. [Entry #142]. As Plaintiff is proceeding pro se, the court entered an order pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), on June 20, 2011, advising him of the importance of a motion for summary judgment and of the need for him to file an adequate response. [Entry #143]. Plaintiff was specifically advised that if he failed to respond adequately, Defendants' motion may be granted, thereby ending this case.

Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff has failed to respond to the motion. As such, it appears to the court that he does not oppose the motion and wishes to abandon this action. Based on the foregoing, it is ordered that Plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to Defendants' motion for summary judgment by August 9, 2011. Plaintiff is further advised that if he fails to respond, this

action will dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Shiva V. Hodges". The signature is written in a cursive, flowing style.

July 26, 2011
Florence, South Carolina

Shiva V. Hodges
United States Magistrate Judge